

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**FRANKLIN PARKER, Individually and on behalf of
all others similarly situated;
FAIR MAIDEN SEAFOOD, LLC, Individually and on
behalf of all others similarly situated;
THOMAS BECKER, Individually and on behalf of
all others similarly situated;
DESPORTE & SONS INC., Individually and on behalf of
all others similarly situated; AND
CLARK SEAFOOD COMPANY, INC., Individually and
on behalf of all others similarly situated**

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:10-CV-174 HSO-JMR

**TRANSOCEAN L TD;
BP, PLC;
BP PRODUCTS NORTH AMERICA, INC.;
BP AMERICA, INC.;
TRANSOCEAN OFFSHORE DEEPWATER DRILLING, INC.;
TRANSOCEAN DEEPWATER, INC.;
HALLIBURTON ENERGY SERVICES, INC.;
CAMERON INTERNATIONAL CORPORATION f/k/a
COOPER CAMERON CORPORATION;
JOHN AND JANE DOES A - G; AND
CORPORATIONS W; X; Y AND Z**

DEFENDANTS

NOTICE OF DISMISSAL

The Plaintiffs file this Notice Of Dismissal without prejudice under Fed.R.Civ.P.

41(a)(1)(A)(i):

1. The Plaintiffs filed a Complaint on April 30, 2010.
2. The Defendants have not been served with process.
3. On May 7, 2010, Defendants BP America, Inc. and BP Products North America, Inc., (collectively, the "BP" Defendants) moved for a temporary stay of the case until the Judicial Panel on Multidistrict Litigation ("JPML") acts on a motion for MDL consolidation. (**Doc. 21**). The BP Defendants allege that a separate corporation, BP

Exploration & Production, Inc. ("BP Exp") filed a motion, also on May 7, 2010, to consolidate cases related to the Deepwater Horizon incident before a Multidistrict Litigation Court. *Id.*, at 2, para. 3.

4. No Defendant in this case has served an answer or motion for summary judgment.

5. A class has not been certified in this case.¹ A receiver has not been appointed in the case. The case is not governed by a federal statute that requires a court order for dismissal of the case.

6. This dismissal is without prejudice, with each party to bear their own costs.

This the 10th day of May, 2010.

Respectfully submitted,

BY:


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¹Under the 2003 Amendment to Fed.R.Civ.P. 23(e), court approval to dismiss this case is required only where there is a "certified class."

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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2010, I electronically filed, a true copy of the foregoing Notice Of Dismissal with the Clerk of the Court using the ECF system, which sent notification of such filing to all ECF participants.

This the 10th day of May, 2010.

A handwritten signature in black ink, appearing to read "Earl L. Denham", is written over a horizontal line.

ATTORNEY FOR PLAINTIFFS